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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,917	02/14/2002	Kuan Kuan Sung		8450

7590 03/31/2003
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EXAMINER

KOCZO JR, MICHAEL

ART UNIT	PAPER NUMBER
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3746

DATE MAILED: 03/31/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/074,917

Applicant(s)

SUNG, KUAN KUAN

Examiner

Michael Kocz, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 6-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Applicant's election of the species of figure 5, without traverse, is acknowledged. Claims 6 to 10 therefore stand withdrawn from further consideration as being drawn to non-elected species.

Drawings

The drawings are objected to because of the following reasons:

Figures 3A, 4A, 4B and 8 are each a plurality of figures which must be numbered separately

Numeral 107 should be shown in figure 2.

X Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g).

X Figures 3A, 3B, 3C, 4A, 4B and 4C must have reference numerals to identify the parts.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities:

On page 1, the US patent documents should be located under the heading "BACKGROUND OF THE INVENTION".

The specification is replete with spelling and grammatical errors too numerous to mention and should be thoroughly edited so as to be in conformance with American English.

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For example, on page 1, line 13 should read --heat-dissipation fan, wherein a ceramic bearing is fixed on a rotor and rotates with--.

Each occurrence of "thru" should read --through--.

Appropriate correction is required.

Claim Objections

Claims 1 to 5 are objected to because of the following informalities: these claims are replete with grammatical errors. For example, in claim 1, line 2 should read in part --said being is fixed on a fan rotor and rotates with the rotor--. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1 to 5 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Regarding the description of the embodiment of figure 5, it is not understood how the rotor 100 and bearing 2 are axially supported relative to axle tube 6. That is, what prevents the bearing 2 and rotor 100 from dropping down and contacting the top surface of base 107? This would cause sufficient friction to effectively render the device useless.

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Clarification of the structure and operation of the device is required. However, applicant is cautioned against the introduction of new matter by amendment.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 to 5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 6, "solid or hollow" and "cylindrical shape or with an end flange portion" are improperly alternative.

In line 8, there are plural antecedents for "said bearing". That is, is applicant referring to the "hollow ceramic tube bearing" or the "hollow ceramic tube support bearing"?

In line 11, the "ceramic holding ring" is recited in a disconnected manner. To what part is this ring connected?

In claim 2, line 2, there are plural antecedents for "said bearing".

Claim 2 is furthermore replete with alternative language.

In claim 3, line 2, there are plural antecedents for "said bearing".

In claim 3, line 2, "said bearing and said support bearing are hollow ceramic tube" is redundant since these limitations are already recited in claim 1.

In claim 4, line 2, there are plural antecedents for "said bearing".

Claim 4 is also replete with alternative and redundant language.

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In claim 5, "wherein said ring is ceramic ring with opening gap" is redundant (see claim 1). In lines 3 and 4, "at one end or both ends" is improperly alternative.

Thorough revision of the claims is required in order to render them definite in form according to the statute.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The prior art could not be applied to the claims due to their indefiniteness and basis on a non-enabling disclosure.

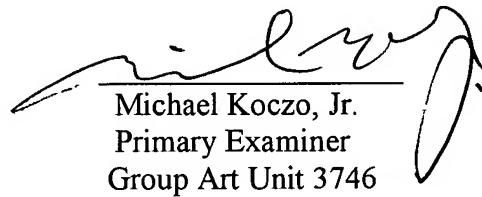
An examination of this application reveals that applicant is unfamiliar with patent prosecution procedure. While an inventor may prosecute the application, lack of skill in this field usually acts as a liability in affording the maximum protection for the invention disclosed. Applicant is advised to secure the services of a registered patent attorney or agent to prosecute the application, since the value of a patent is largely dependent upon skilled preparation and prosecution. The Office cannot aid in selecting an attorney or agent.

Applicant is advised of the availability of the publication "Attorneys and Agents Registered to Practice Before the U.S. Patent and Trademark Office." This publication is for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Any inquiry relating to the status of this application or proceeding should be directed to the Customer Service Office whose telephone number is 703-306-5648.

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Any inquiry relating to patent applications in general should be directed to the Patent Assistance Center at 1-800-786-9199.



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March 26, 2003
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